

Amendment and Response
Applicant: Maxine C. Thome et al.
Serial No.: 09/929,827
Filed: August 14, 2001
Docket No.: P147.102.101
Title: LIGHT GUARD

REMARKS

This Amendment is responsive to the Decision on Petition mailed March 10, 2004. In that Decision, Applicants' Amendment previously filed on May 30, 2003 was considered to be improper for including a statement of "incorporation by reference" in an amendment to the specification (to claim priority to provisional application) filed after the filing of the non-provisional application. Although the Decision indicated that the Amendment was improper, Applicant could not determine if the Amendment was entered or not. With this Amendment, Applicant is acting on the belief that the Amendment was entered.

Accordingly, Applicant has deleted the entire insertion to the specification in the Amendment filed May 30, 2003 and has inserted a new paragraph into the specification claiming priority to the corresponding provisional application, without any statement of incorporation by reference.

Applicant's also affirm the remainder of the Amendment/Response filed in May 30, 2003, which presented arguments in favor of patentability of claim 11 and which identified the submission of a Communication to the Official Draftsperson regarding a corrected drawing.

CONCLUSION

It is believed that a proper amendment to the specification has been made in support of Applicant's Renewed Petition under 37 C.F.R. 1.78(a). Entry of this Amendment and acceptance of the Petition is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 500471.

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The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this Amendment.

Respectfully submitted,


Maxine C. Thome et al.,

By their attorneys,


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Date: March 23, 2004

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted by facsimile to Attorney Paul Shanowski, Office of Petitions, of the Patent and Trademark Office, at (703) 872-9306 on this 23rd day of March, 2004.

By 
Name: Paul S. Grunzweig